



# PUBLIC NOTICE

**Federal Communications Commission**  
**445 12<sup>th</sup> St., S.W.**  
**Washington, D.C. 20554**

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**DA 13-188**  
**Released: February 12, 2013**

**PLEADING CYCLE ESTABLISHED FOR UNITED STATES TELECOM ASSOCIATION  
PETITION FOR WAIVER OF REQUIREMENTS IN SECTION 61.49(K) OF THE  
COMMISSION'S RULES FOR THE SHORT FORM TARIFF REVIEW PLAN**

**WC Docket No. 13-43**

**COMMENTS: February 27, 2013**  
**REPLY COMMENTS: March 11, 2013**

On February 8, 2013, the United States Telecom Association (USTelecom) filed a petition on behalf of its price cap members seeking a waiver of requirements in section 61.49(k) of the Commission's rules regarding non-exogenous cost data filing requirements for the Short Form Tariff Review Plan (TRP).<sup>1</sup> Specifically, USTelecom requests that all price cap local exchange carriers (price cap LECs) receive a waiver from the requirement that they submit PC-1 and IND-1 forms as part of the Short Form TRP.<sup>2</sup> USTelecom states that those carriers would continue to file the EXG-1Form and their exogenous cost work papers.<sup>3</sup> In addition, USTelecom requests that the deadline for the Short Form TRP be moved to May 17 to give price cap carriers additional time to prepare their cost data.<sup>4</sup> USTelecom notes that a similar waiver was requested and granted the last three years and contends that "[s]ince the same circumstances that motivated the 2010, 2011 and 2012 petitions continue to be present, this petition should be similarly granted and the waiver extended for another year."<sup>5</sup>

Pursuant to sections 1.415 and 1.419 of the Commission's rules, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document.<sup>6</sup> All

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<sup>1</sup> See Petition of the United States Telecom Association for Waiver of Rule 61.49(k)'s Non-exogenous Cost Data Requirements for the Short Form Tariff Review Plan and for Waiver of Rule 61.49(k)'s Deadline for Filing the Exogenous Cost Data Requirements of the Short Form Tariff Review Plan, WC Docket No. 13-43 at 1 (filed Feb. 8, 2012).

<sup>2</sup> *Id.* at 2.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> 47 C.F.R. §§ 1.415, 1.419.

pleadings are to reference **WC Docket No. 13-43**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).<sup>7</sup>

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an email to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

In addition, one copy of each pleading must be sent to Pamela Arluk, Federal Communications Commission, Wireline Competition Bureau, Pricing Policy Division, 445 12th Street, SW, Room 6-A236, Washington, D.C. 20554, or *via* email at [Pamela.Arluk@fcc.gov](mailto:Pamela.Arluk@fcc.gov).

The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.<sup>8</sup> Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission

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<sup>7</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

<sup>8</sup> 47 C.F.R. §§ 1.1200 *et seq.*

staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact Pamela Arluk, Wireline Competition Bureau, Pricing Policy Division, at (202) 418-1520 or *via* email at [Pamela.Arluk@fcc.gov](mailto:Pamela.Arluk@fcc.gov).

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